

**LAW OFFICES OF
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January 14, 2009

Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
Washington, DC 20423

RECORDATION NO. 18452-E FILED

JAN 14 '09 -4 27 PM

Dear Acting Secretary Quinlan:

SURFACE TRANSPORTATION BOARD

I have enclosed for e-filing the document described below, to be recorded pursuant to 49 U.S.C. § 11301.

The document is a Lease Termination, a secondary document, dated as of January 13, 2009. The primary document to which this is connected is recorded under Recordation No. 18452. We request that this document be recorded under Recordation No. 18452-E.

The names and addresses of the parties to the Lease Termination are:

Lessor:

Banc of America Leasing & Capital, LLC
2059 Northlake Parkway, 4 South
Tucker, GA 30084

Lessee:

Consolidation Coal Company
1800 Washington Road
Pittsburgh, PA 15241

A description of the equipment covered by the Lease Termination consists of 55 covered hopper cars numbered ACCX 1000-1054, inclusive.

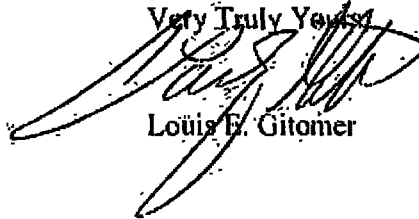
Honorable Anne K. Quinlan
January 14, 2009
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A fee of \$41.00 is enclosed. Please return one copy by email to:

Louis E. Gitomer
600 Baltimore Avenue, Suite 301
Towson, MD 21204
Lou_Gitomer@verizon.net

A short summary of the document to appear in the index follows: Lease Termination between Banc of America Leasing & Capital, LLC, 2059 Northlake Parkway, 4 South, Tucker, GA 30084, and Consolidation Coal Company, 1800 Washington Road, Pittsburgh, PA 15241, covering 55 covered hopper cars numbered ACCX 1000-1054, inclusive.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Louis E. Gitomer", is written over the typed name. The signature is stylized with a large, sweeping initial "L".

Louis E. Gitomer

Enclosure

JAN 14 '09

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LEASE TERMINATION

SURFACE TRANSPORTATION BOARD

This Lease Termination dated as of January 13, 2009 is between Banc of America Leasing & Capital, LLC, successor to LaSalle National Leasing Corporation, as Lessor, and Consolidation Coal Company, as Lessee.

WHEREAS, Lessor and Lessee entered a Master Equipment Lease Agreement dated as of September 22, 1993 (the "Lease"), which was recorded at the Interstate Commerce Commission on November 5, 1993 at 1:55 pm under Recordation No. 18452 for 55 rail cars numbered ACCX 1000-1054, inclusive (the "Equipment");

WHEREAS, Lessor and Wilmington Trust Company, not in its individual capacity but solely as owner trustee for the PBG Equipment Trust under the PBG Equipment Trust Agreement entered a Memorandum of Bill of Sale and Assignment and Assumption Agreement dated as of November 6, 1997, which was recorded at the Surface Transportation Board (the "Board") on November 6, 1997 at 2:25 pm under Recordation No. 18452-A for the Equipment;

WHEREAS, PBG Equipment Trust, as assignor, and Lessor, as assignee, entered a Memorandum of Assignment and Assumption Agreement (CCC) dated as of July 3, 2007, which was recorded at the Board on July 19, 2007 at 4:19 pm under Recordation No. 18452-D for the Equipment;

WHEREAS, The rights, interests and obligations of Lessor and Lessee under the Lease have been fulfilled; and

WHEREAS, Lessor and Lessee have agreed to terminate the Lease.

NOW, THEREFORE, in consideration of the premises, Lessor and Lessee hereby acknowledge and confirm for the public record the termination of the Lease, and all rights and obligations arising under the Lease with respect to the Equipment.

This Lease Termination may be executed in separate counterparts, each of which when so executed and delivered shall be an original for all purposes, but all such counterparts shall constitute but one and the same instrument.

IN WITNESS WHEREOF, Lessor and Lessee have executed or caused this Lease Termination to be duly executed as of the date first above written.

Bank of America Leasing & Capital, LLC

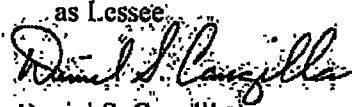
as Lessor

By: 

Its: 

Consolidation Coal Company

as Lessee


By: Daniel S. Cangilla

Its: Treasurer

STATE OF MARYLAND)

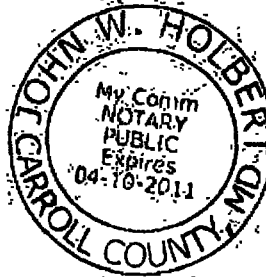
County of Baltimore)

) ss.

On this 14th day of January 2009, before me appeared Ferris J. Preston, the person who signed this instrument, who acknowledged that (s)he is the Vice President of BANC OF AMERICA LEASING & CAPITAL, LLC and that, being duly authorized, (s)he signed such instrument as a free act on behalf of said corporation.

John W. Holbert
Notary Public

My Commission expires 4/10/2011



STATE OF PENNSYLVANIA)

County of Washington)

) ss.

On this 13th day of January 2009, before me appeared Daniel S. Cangilla, the person who signed this instrument, who acknowledged that (s)he is the Treasurer of CONSOLIDATION COAL COMPANY and that, being duly authorized, (s)he signed such instrument as a free act on behalf of said corporation.

Kathryn A. Gelfe
Notary Public

My Commission expires October 1, 2011

